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2 Including Professional Corporations  
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7 Attorneys for Defendant  
ALLSTATE NORTHBROOK INDEMNITY COMPANY  
8 erroneously sued as Allstate Indemnity Company

9 UNITED STATES DISTRICT COURT  
10 EASTERN DISTRICT OF CALIFORNIA  
11 SACRAMENTO DIVISION  
12

13 JAMES GLORIA,  
14 Plaintiff,

15 v.

16 ALLSTATE INDEMNITY COMPANY,  
17 a business entity; and DOES 1 through 50,  
18 inclusive,  
19 Defendants.

Case No. 2:22-cv-01126-WBS-CKD

**ORDER GRANTING STIPULATION TO  
MODIFY SCHEDULING ORDER**

Hon. William B. Shubb  
Courtroom 5, 14th Floor

Magistrate Judge Carolyn K. Delaney  
Courtroom 24, 8th Floor

1 This stipulation is hereby entered into by and between plaintiff James Gloria and defendant  
2 Allstate Northbrook Indemnity Company, by and through their respective counsel.

3 Whereas, the parties have discussed the witnesses who will need to be deposed in this case  
4 and are working on scheduling depositions;

5 Whereas, the parties have met and conferred regarding the filing of cross-motions for  
6 summary judgment and agree that such motions would be appropriate in this case;

7 Whereas, the parties would like to defer the time and expense of expert discovery and  
8 certain fact discovery until after the Court has ruled on the cross-motions for summary judgment;

9 Whereas, the filing deadline for the parties' cross-motions for summary judgment is  
10 January 26, 2024;

11 Whereas, the filing deadline for the parties' oppositions to cross-motions for summary  
12 judgment is February 9, 2024;

13 Whereas, the filing deadline for the parties' reply briefs in support of their cross-motions  
14 for summary judgment is February 20, 2024;

15 Whereas, the hearing date for the parties' cross-motions for summary judgment is March 4,  
16 2024 at 1:30 p.m.;

17 Whereas, the current deadline to disclose experts and produce expert reports is May 7,  
18 2024;

19 Whereas, the current deadline to disclose rebuttal experts and produce rebuttal expert  
20 reports is June 5, 2024;

21 Whereas, the current discovery completion date is July 5, 2024;

22 Whereas, the current deadline to file all motions, except motions for continuances,  
23 temporary restraining orders, or other emergency applications, is June 7, 2024;

24 Whereas, the final pretrial conference is currently scheduled for August 12, 2024, at 1:30  
25 p.m.;

26 Whereas, trial is currently scheduled for October 8, 2024 at 9:00 a.m.;

27 Whereas, the parties have met and conferred and agree that the foregoing case management  
28 dates and deadlines should be continued to allow additional time to conduct the discovery needed

1 to file cross-motions for summary judgment and to set a briefing schedule for those motions such  
2 that any remaining discovery (including expert discovery) can be deferred until after the Court  
3 rules on the parties' cross-motions;

4 Therefore, subject to the Court's approval, the Parties, by and through their respective  
5 attorneys of record, hereby stipulate to modify the Court's most recent scheduling order (ECF No.  
6 12), including the briefing schedule for the parties' cross-motions for summary judgment, as  
7 proposed below:

8 1. The parties' cross-motions for summary judgment shall be filed on or before May  
9 24, 2024;

10 2. Any opposition to the parties' cross-motions for summary judgment shall be filed  
11 on or before June 14, 2024;

12 3. Any reply brief in support of the parties' cross-motions for summary judgment  
13 shall be filed on or before June 28, 2024;

14 4. The hearing date for the parties' cross-motions for summary judgment shall be  
15 scheduled for July 8, 2024 at 1:30 p.m.;

16 5. The deadline to disclose experts and produce expert reports shall be continued to  
17 October 11, 2024;

18 6. The deadline to disclose rebuttal experts and produce rebuttal expert reports shall  
19 be continued to November 8, 2024;

20 7. The discovery completion date shall be continued to November 15, 2024;

21 8. The deadline to file all motions, except motions for continuances, temporary  
22 restraining orders, or other emergency applications, shall be continued to December 13, 2024;

23 9. The final pretrial conference shall be continued to January 13, 2025 at 1:30 p.m.;

24 and

25 10. The trial date shall be continued to March 11, 2025 at 9:00 a.m.

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1 IT IS SO STIPULATED.<sup>1</sup>

2 Dated: January 25, 2024

3 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

4 By

/s/ Joseph E. Foss

JOSEPH E. FOSS

Attorneys for Defendant

6 Allstate Northbrook Indemnity Company

7 Dated: January 25, 2024

9 By

/s/ Jonathan Amir Durham

JONATHAN AMIR DURHAM

Attorneys for Plaintiff

James Gloria

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<sup>1</sup> The filer certifies that all other signatories listed, and on whose behalf the filing is submitted, concur in the filing's content and have authorized the filing.

**ORDER**

Having considered the Stipulation and for good cause shown, IT IS HEREBY ORDERED that the Scheduling Order in this case (ECF No. 12) be modified as follows:

1. The parties' cross-motions for summary judgment shall be filed on or before May 24, 2024;

2. Any opposition to the parties' cross-motions for summary judgment shall be filed on or before June 14, 2024;

3. Any reply brief in support of the parties' cross-motions for summary judgment shall be filed on or before June 28, 2024;

4. The hearing date for the parties' cross-motions for summary judgment shall be scheduled for **July 8, 2024 at 1:30 p.m.**;

5. The deadline to disclose experts and produce expert reports shall be continued to October 11, 2024;

6. The deadline to disclose rebuttal experts and produce rebuttal expert reports shall be continued to November 8, 2024;

7. The discovery completion date shall be continued to November 15, 2024;


8. The deadline to file all motions, except motions for continuances, temporary restraining orders, or other emergency applications, shall be continued to **December 13, 2024**;

9. The final pretrial conference shall be continued to **Feb. 24, 2025 at 1:30 p.m.**; and

10. The trial date shall be continued to **April 15, 2025 at 9:00 a.m.**

IT IS SO ORDERED.

Dated: January 29, 2024

  
**WILLIAM B. SHUBB**  
**UNITED STATES DISTRICT JUDGE**